

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

2004-07-16-04  
Clerk's Office  
U.S. District Court  
Date 7-16-04  
By *B. Clark* *B. Clark*

IN RE: COLUMBIA UNIVERSITY  
PATENT LITIGATION

MDL NO. 1592

This Document Relates To All Actions.

**ASSENTED-TO MOTION TO IMPOUND**

The undersigned plaintiffs hereby move this Court, pursuant to Local Rule 7.2, to impound (1) Memorandum In Support of Plaintiffs' Motion For Limited Discovery Relevant to the Issue of Non-Statutory Double Patenting and (2) Appendix To Memorandum In Support of Plaintiffs' Motion For Limited Discovery Relevant to the Issue of Non-Statutory Double Patenting.

As grounds for this motion, plaintiffs state that these documents contain information from the file history of U.S. Patent Application No. 08/477,159 ("159 application"), to which this Court restricted public access by Order of June 23, 2004 (Court's Docket No. 34). Plaintiffs propose that the impounding Order be lifted upon further order of the Court, and that the papers be kept in the Clerk's nonpublic information file during any post-impoundment period.

Dated: July 16, 2004

Respectfully submitted,

*Al M. L.*

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#### **Certification of Counsel**

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that counsel for plaintiffs Biogen and Genzyme conferred with counsel for defendant Trustees of Columbia University ("Columbia") on this motion, and that counsel for Columbia assented to the motion.

Al M. L.

#### **CERTIFICATE OF SERVICE**

I hereby certify that on the 16<sup>th</sup> day of July, 2004, I caused a true copy of the above document to be served upon counsel of record for all parties in this action.

Al M. L.